IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6330 OF 2001

Pune District Wine Traders Association ..Petitioner

Versus

The Commissioner,State Excise, M.S. and anr. ...Respondents

Mr. A.V. Anturkar for the petitioner.
Mr. S.R. Nargolkar, Assistant Government Pleader, for respondent No.1.
Mrs. Veena B. Thadani for respondent No.2.

CORAM: **V.G. PALSHIKAR, Ag. C.J., &**
V.M. KANADE, J.

DATE: **JULY 24, 2006**.

P.C.

By this petition the petitioner has impugned the Government Circular dated 18th April, 2000. The main contention is that a statement made in the preamble of the Circular is incorrect and without jurisdiction.

2. The statement reads as under:-

"It is also clear that sale cannot be refused by a FL-1

Licensee on the ground that there are arrears of some other licensees, he can refuse sale only if some of his own arrears are to be recovered".

This is only a narration of facts existing which prompted the Commissioner, State Excise, to issue the circular giving directions contained from page 4 onwards. That being the position, there is no need to interfere because the statement quoted above is not a direction issued by the State. The petition is accordingly disposed of.